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Goldman School of Public Policy
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EMPLOYMENT

- 1971-Present Professor, Goldman School of Public Policy, University of California, Berkeley
- 1997-1998 Acting Dean, Goldman School of Public Policy, University of California-Berkeley
- 1998 Visiting Professor, Central European University, Budapest
- 1992 Visiting Professor and Fulbright Fellow, Instituto Tecnológico Autónomo de México
- 1988 Visiting Professor, Australian Graduate School of Management, University of South Wales
- 1983 - 1985 Associate Editor, *Sacramento Bee*
- 1969-1971 Director, Center for Law and Education, and Assistant Professor, Harvard Graduate School of Education
- 1968 - 1969 Instructor and Assistant to the Dean, Harvard Graduate School of Education

EDUCATION

- B.A. 1965 Amherst College
- LL.B. 1968 Harvard Law School

HIGHER EDUCATION AND THE MARKET

Book:

Shakespeare, Einstein, and the Bottom Line: The Marketing of Higher Education (Harvard University Press, 2003)

Other project-related publications:

Journal and magazine articles in *New York Times*, *Chronicle of Higher Education*, *Public Interest*, *The Nation*, *Lingua Franca*, *University Business*, *California Monthly*, *Change*, *Boston Globe* “Ideas” section, *International Higher Education*, *National CrossTalk*.

Speeches and Conferences:

Keynote Speech, American Association of Colleges and Universities, “The Market in Ideas” (2004)

Speech, “The Internet and the University,” American Council on Education (2004)

Keynote Speech, “The University Goes to Market,” Association of American Universities (2004)

Speech, “Shakespeare, Einstein, and the Bottom Line”, Commonwealth Club, San Francisco (2004)

Speech, “Higher Education, the Market, and the Foundation,” Ford Foundation seminar (2004)

Keynote Speech, “Technological Distance and Social Distance,” Center for Internet Technology in Education (2004)

Keynote Speech, “Outsourcing the Soul of the University?” Association of Academic Health Centers (2004)

Speech, “The Market and the Academic Commons,” Center for Higher Education Policy, Cornell University

Keynote Speech, “The Opportunity Gap,” Student Financial Aid Research Conference (2004)

Lecture, “The New Market in Higher Education,” Harvard Business School (2004)

Discussion, Berkeley Writers at Work Series, University of California-Berkeley (2004)

Keynote speech, American Association of Colleges and Universities, “Barbarians at the Gates” (2003)

Keynote speech, “Money Changers in the House of Intellect?”, Association of American University Professors (AAUP) (2002)

Keynote speech, eduCause, “What’s (Not) a University?” (2002)

Speech, “Higher Education in the Age of Money,” Ford Conference on the Future of Higher Education (2001)

Keynote speech, College Boards: “This Little Student Went to Market” (2001)

Convenor:

Conference on “Higher Education in the Age of Money” (2002)

Visiting scholar:

Center for Higher Education Policy Studies, Twente University, Enschede, Netherlands
(2002)

Media appearances:

Interviews with, among others, “Talk of the Nation,” “TechNation,” “Weekend All Things Considered” (NPR shows); “The Connection,” “Kojo Nnamdi Show,” “Leonard Lopate Show,” “Michael Krasny Show” and “The Connection” (syndicated NPR station shows); CSPAN-2, “Book Talk.”

CURRENT RESEARCH PROJECT

Raising America: The Emergence of Public Responsibility for Raising Children

Publications:

“Life Way After Head Start,” New York Times Sunday Magazine, Nov. 22, 2004

“You’re Doing Fine, Oklahoma,” American Prospect, October 2004

PUBLICATIONS

Books

- Shakespeare, Einstein and the Bottom Line: The Marketing of Higher Education* (Harvard University Press, 2003)
- Education Policy and the Law (4th Edition)* (with Mark Yudof, Betsy Levin and Rachel Moran) (Thomson Publishing Company, 2001)
- Almost Home: America's Love-Hate Relationship with Community* (Princeton: Princeton University Press, 2000)
- Our Town: Race, Housing, and the Soul of Suburbia* (New Brunswick, NJ: Rutgers University Press, 1996) (with John Dwyer and Larry Rosenthal)
- AIDS in the Industrialized Democracies: Passions, Politics, and Policies* (Canadian edition. Montreal: McGill University Press, 1992) (co-edited with Ronald Bayer)
German translation : *Strategien gegen Aids: Ein internationaler Politikvergleich* (Berlin; Edition Sigma Rainer Bohn Verlag, 1994)
- Educational Policy and the Law* (St. Paul, MN: West Publishing Co., 3rd Edition 1991) (with Mark Yudof and Betsy Levin)
- Learning by Heart: AIDS and Schoolchildren in America's Communities* (New Brunswick, NJ: Rutgers University Press, 1989) (with Steven Epstein, Marlene Strong Franks, Douglas Conaway, John Lewis and Jonathan Simon). Named "outstanding book on the subject of human rights in the United States" for 1990 by the Gustavus Meyers Center for the Study of Human Rights; listed on *New York Times* "Notable Books" list, 1989
- Managing Educational Excellence* (Philadelphia: Falmer Press, 1988) (with Thomas B. Timar)
- Gender Justice* (University of Chicago Press, 1986) (with Mark Yudof and Marlene Strong Franks)
- School Days, Rule Days* (Philadelphia: Falmer Press, 1986) (co-edited with Donald Jensen)
- Just Schools: The Idea of Racial Equality in American Education* (Berkeley: University of California Press, 1982)
- Educational Policy and the Law* (Berkeley: McCutchan Publishing Co., 2nd edition, 1982) (with Mark Yudof, Tyll van Geel and Betsy Levin)

Doing Good by Doing Little: Race and Schooling in Britain (Berkeley: University of California Press, 1979)

Educational Policy and the Law (Berkeley: McCutchan Publishing Co., 1974) (with Mark Yudof)

Articles and Chapters

“This Little Student Goes to Market” in John Merrow and Richard Hersh (etc.) *The Demise of Liberal Education* (New York: Palgrave 2005)

“Life Way After Head Start,” *New York Times Sunday Magazine* (November 21, 2004)

“You’re Doing Fine, Oklahoma: Universal Pre-Kindergarten Takes Off in an Unlikely Place,” *American Prospect* (November 2004)

“Oxbridge and the Market,” *International Higher Education* (Spring 2004)

“Access Denied,” *National Crosstalk* (Winter 2004)

“Mindshare and the Life of the Mind: A Liberal Arts College Finds Its Market Niche,” *Change* (September/October 2003)

“Message in a Bottle,” *National Crosstalk* (Fall 2003)

“Education for Profit,” *Public Interest* (Summer 2003)

“The Corporation of Learning,” paper presented at Columbia University conference on for-profit higher education (May 2003) http://www.ncspe.org/publications_files/kirp.pdf

“Mr. Jefferson’s ‘Private’ College: Darden Business School Secedes from the University of Virginia,” *Public Interest* (Summer 2002) (with Patrick Roberts) (cached by National Center for the Study of Privatization in Education, <http://www.ncspe.org/>)

“Outsourcing the Soul of an Old Institution,” *Chronicle of Higher Education* (March 2002)

“New Academic Collaborations, Old School Rivalries,” *Chronicle of Higher Education* (July 2002) (with Jonathan Van Antwerpen)

“A Good Deal of Collaboration” *California Monthly* (September 2002) (with Elizabeth Popp Berman)

“Change of Venue,” *University Business* (October 2001)

“Cases and Controversies: How Novitiates Are Trained to Be Masters of the Public Policy Universe” and “Cases as Rorschach Blots” (with Carol Chetkovich), *Journal of Policy Analysis and Management* (Spring 2001)

- “When a Classroom Protest Becomes the Lesson,” *Chronicle of Higher Education* (April 6, 2001) (reprinted in *California Monthly* (June 2001))
- “Hurricane Hugo,” *Lingua Franca* (April 2001)
- “Satanic Virtues,” *American Prospect* (March 12, 2001)
- “Native Sons,” *American Prospect* (February 26, 2001)
- “A City of Learning,” *University Business* (February 2001)
- “Who For 2004?” *American Prospect Online* (January 18, 2001)
- ”Race to the Goal Line,” *American Prospect*, (November 2000)
- “Poison Ivy,” *American Prospect* (September 2000)
- “The Old South’s New Face,” *The Nation*, June 26, 2000
- “The New U,” *The Nation*, April 17, 2000
- “Goals 2000: The Hope of Systemic Change, the Reality of Incrementalism,” in Diane Ravitch (ed.), *National Issues in Education Policy* (Brookings Institution Press, 1999)
- “The Politics of Blood: Hemophilia Activism and the AIDS Crisis,” in Ronald Bayer and Eric Feldman, eds., *Blood Feuds* (Oxford University Press, 1999)
- “Look Back in Anger: Hemophilia and AIDS Activism in the International Tainted-Blood Crisis,” *Journal of Comparative Policy Analysis, Research and Practice* 1:177-202 (1999)
- “The Politics of Choice in Education,” in Steven Sugarman ed., *Choice in Education* (Brookings Institution Press, 1999) (with Robert Bulman)
- ”Beyond Adversarial Legalism: The Port of Oakland Dredging Case Reconsidered,” *NYU Journal of Law and Public Policy* (1999) (with Christopher Busch and Daniel Schoenholz)
- “Rights, Politics and Expertise: Righting the Balance,” *NYU Journal of Law and Public Policy* (1999) (with Christopher Busch and Daniel Schoenholz)
- “So, Is It Back to Bowling Alone?” *Nation* (Mar.8,1999)
- “Moral Rorschachs,” *Nation* May 4, 1998 (with Andrew Koehler and Jaime Rossi)
- “New Hope for Failing Schools,” *Nation* June 1, 1998.

- "The Strange Career of Affirmative Action," in Robert Post and Michael Rogin, eds., *Race and Representation: Affirmative Action*. New York: Zone Books, 1998)
- "Death by a Thousand Cuts: The Demise of School Integration." *P/S* (September 1997)
- "Those Who Can't: Twenty-Seven Ways of Looking at a Classroom." *Change* (May/June 1997)
- "Part Plato, Part Oprah: All About Teaching." *California Monthly* (September 1997)
- "Intelligent Policy," *American Psychologist* (summer, 1997)
- "Look Back in Anger: AIDS, Tainted Blood, and the Hemophilia Movement" *Dissent* (Summer 1997)
- "There Goes the Neighborhood" *Harper's* (March 1997)
- "Doctor of Desire," *Nation* (February 24 1997)
- "Gay Respectability" *Dissent* (Fall 1996).
- "Death: Read All About It!" *Dissent* (Fall 1996)
- "Speak, Gay Memory" *Nation* (July 18-25, 1996)
- "Are You Now, Or Have You Ever Been, a Homosexual?" *Tikkun* (January/February 1996)
- "How Gays Lost It at the Movies," *Dissent* (Winter 1996)
- "The Aspirations of Systemic Reform Meet the Realities of Localism" 31 *Educational Administration Quarterly* 589 (November 1995) (with Cyrus E. Driver)
- "Just Neighbors," *Tikkun* (September/October 1995) (with Elliot Marseille)
- "Blood, Sweat, and Tears: The Tuskegee Experiment and the Era of AIDS," *Tikkun* (May/June 1995)
- "Following the Color Line," *The Nation* (April 24, 1995) Essay-review of: Keyes, *Masters of the Dream*, Loury, *One by One from the Inside Out*, Citizens' Commission on Civil Rights, *New Challenges: The Civil Rights Record of the Clinton Administration*, Massey & Denton, *American Apartheid*, Orfield & Ashkinaze, *The Closing Door*, and Carnoy, *Faded Dreams*
- "The Nightmare of Survival," *New York Times Book Review* (October 1, 1995), review of Odets, *In the Shadow of the Epidemic*

- "Among Schoolchildren: The Equities in the Schoolhouse," in Kenneth Wong, ed., *Advances in Educational Policy*, Vol. I (Greenwich, CT: JAI Press, 1995)
- "Changing Conceptions of Educational Equity," in Diane Ravitch and Maris Vinovskis, eds., *Learning from the Past: What History Teaches Us About School Reform* (Baltimore: Johns Hopkins University Press, 1995)
- "Neighbors as Peacemakers: San Francisco's Community Boards," in Amitai Etzioni, ed., *Case Studies in Community Action* (Center for Policy Research, 1995) (with Elliot Marseille)
- "Out for Dollars," *The Nation* (March 20, 1995), review of Louganis, *Breaking the Surface*
- "A Man's Own Story," *The Nation* (January 23, 1995), review of Alan Hollinghurst, *The Folding Star*; reprinted in *Contemporary Literary Criticism Yearbook* (Gale Research, 1997)
- "Freedom's Not Enough," *Tikkun* (November/December 1994). Essay-review of Cookson, *School Choice*, Fliegel with MacGuire, *Miracle in East Harlem*. Henig, *Rethinking School Choice*, Wells, *Time to Choose*
- "AIDS in Our Time," *The Nation* (July 4 and 18, 1994) (Two-part article)
- "Standing in the Shadows," *The Nation* (April 11, 1994). Essay-review of: Sheehan, *Life for Me Ain't Been No Crystal Stair*, Kidder, *Old Friends*, Rosenthal, *Homeless in Paradise*, Liebow, *Tell Them Who I Am*, Eighner, *Travels With Lizbeth*
- "Mainstreaming AIDS Children in the Schools", in Mary Ann Mason and Eileen Gambrell, eds., *Debating Children's Lives: Current Controversies Concerning Children and Adolescents* (Thousand Oaks, CA: Sage Publications, 1994)
- "The Politics of Needle Exchange for AIDS Prevention," in Jeff Stryker and Mark Smith eds., *Needle and Syringe Availability and Exchange for HIV Prevention* (with Ronald Bayer) (Menlo Park, CA: Henry J. Kaiser Family Foundation report, 1993)
- "Tocqueville in Italy," *The Nation* (November 8, 1993), review of Putnam, *Making Democracy Work*; reprinted in *Comparative Politics* (Dushkin Publishing Group, 1997).
- "Needle Exchange Comes of Age," *The Nation* (April 26, 1993)
- "Rx Populi," *The Nation* (April 5, 1993)
- "Killing the Messenger," *The Nation* (March 15, 1993)

- "Union Blues: Between the Lines of the Berkeley Grad Student Strike," *Lingua Franca* (January 1993)
- "Needles and Race," *The Atlantic Monthly* (July 1993) (with Ronald Bayer)
- "Education: Our Weakest Subject," in Leo Heagerty, ed., *Eyes on the President, George Bush: History in Essays and Cartoons* (Occidental, CA: Chronos, 1993)
- "Beyond Assimilation," *New York Times Book Review* (November 22, 1992)
- "The Many Masks of Richard Rodriguez," *San Francisco Image* (November 15, 1992)
- "Fetal Hazards, Gender Justice, and the Justices: The Limits of Equality," 34 *William and Mary Law Review* 1 (Fall 1992)
- "Two Cheers for the Electronic Town Hall: Or Ross Perot, Meet Alexis de Tocqueville," 2 *The Responsive Community* 48 (Fall 1992)
- "What School Choice Really Means," *Atlantic Monthly* 119 (November 1992)
- "The End of Policy Analysis: With Apologies to Daniel (*The End of Ideology*) Bell and Francis ("The End of History") Fukiyama," 11 *Journal of Policy Analysis and Management* 4 (Fall 1992)
- "How Now, *Brown?*," Review of Gerald Rosenberg, *The Hollow Hope: Can Courts Bring About Social Change?* (1991), *The Nation* (June 1, 1992)
- "Journal of a Plague Year: Speaking Civilly about AIDS in a Politically Charged Classroom," *Lingua Franca* 42 (June/July 1992)
- "Singular Brush Strokes: The Art of Semisi Maya," *Commonweal* (March 27, 1992)
- "Tales from the Bright Side," 2 *Lingua Franca* 1 (February/March 1992)
- "Good Schools in Bad Times," *Los Angeles Times Magazine* (January 5, 1992)
- "Textbooks and Tribalism in California," 104 *The Public Interest* 20 (Summer 1991)
- "Pitfalls of 'Fetal Protection'," 28 *Society* 70 (March/April 1991) translated into Russian and reprinted in *Vi i My*, a newsletter for women (March 1991)
- "The Battle of the Books," *San Francisco Image* (February 24, 1991)
- "No Angels, No Demons," *San Francisco Image* 22 (October 7, 1990)

- "Triage in California: Rationing Life and Death," *The Nation* (March 5, 1990). Revised and reprinted in *Risk and Safety in Medicine* (Fall 1990)
- "School Choice is a Panacea, These Authors Say," review of J. Chubb & T. Moe, *Politics, Markets, and America's Schools* (1990), 177 *American School Board Journal* 38 (Sept. 1990)
- "The Classroom According to Hunter," *Los Angeles Times Magazine* 16 (August 12, 1990)
- "Innocent Victims: The Politics of Pediatric AIDS," *The Nation* 666 (May 14, 1990)
- "The AIDS Perplex," 96 *The Public Interest* 61 (Summer 1989)
- "A Boy's Life," 14 *Mother Jones* 32 (July/August 1989)
- "Uncommon Decency: Pacific Bell Responds to AIDS," *Harvard Business Review* 140 (May/June 1989)
- "A Thin Green Line," 14 *Mother Jones* 16 (May 1989)
- "Compassion Fatigue: Hong Kong and the Boat People," *American Spectator* (April 1989)
- "AIDS in America's Schoolhouses: Learning the Hard Lessons," 70 *Phi Delta Kappan* 584 (April 1989) (with Steve Epstein). Reprinted in *SIRS (Social Issues Resource Series)* annual supplement 1990
- "Education Reform in the 1980s: Lessons from the States," 70 *Phi Delta Kappan* 504 (March 1989) (with Thomas B. Timar)
- "Education: The Movie," 14 *Mother Jones* 36 (January 1989)
- "Houses Divided," *San Francisco Image* (February 21, 1988)
- "Fast Forward—Styles of California Management," *Harvard Business Review* 74 (January/February 1988) (with Douglas S. Rice)
- "Class Acts," *Chicago Tribune Magazine* (December 6, 1987)
- "The Political Jurisprudence of Affirmative Action," 5 *Social Philosophy & Policy* 223 (October 1987) (with Nancy A. Weston); reprinted in *Equality of Opportunity* (London and New York: Routledge Kegan Paul, 1987)
- "Educational Reform and Institutional Competence," 57 *Harvard Educational Review* 308 (August 1987) (with Thomas B. Timar)
- "Doing Justice," *San Francisco Image* (April 19, 1987)

- "Ryan's Story," *San Francisco Image* (January 25, 1987)
- "The California Work/Welfare Scheme," 83 *The Public Interest* 34 (Spring 1986), translated into French and published in *Politique Economique*
- "Taking Californians to the Cleaners," 9 *Regulation* 24 (September/October 1985) (with Eileen M. Soffer)
- "The Allure of Legalization Reconsidered: The Case of Special Education," 48 *Law and Contemporary Problems* 1 (1985) (with David Neal)
- "Law as an Instrument of Educational Policy-Making: A Comparative Study," 32 *American Journal of Comparative Law* 4 (Fall 1984) (with David Jung)
- "What Does Due Process Do?" 73 *Public Interest* 75-90 (1983) (with Donald N. Jensen)
- "The New Federalism Goes to Court," 65 *Phi Delta Kappan* 206 (November 1983) (with Donald N. Jensen)
- "Elusive Equality: Race, Ethnicity and Education in the American Experience," in Nathan Glazer and Ken Young, eds., *Ethnic Pluralism and Public Policy* (Lexington, MA: Heath & Co., 1983)
- "Professionalization as a Policy Choice: British Special Education in Comparative Perspective," 34 *World Politics* 137 (1982); reprinted in Jay Chambers and William Hartman, eds., *Special Education Policies: Their History, Implementation, and Finance* (Philadelphia: Temple University Press, 1983)
- "Can the Democrats Offer Both Equity and Excellence in Education?" 186 *New Republic* 31-33 (1982)
- "Legalism and Politics in School Desegregation," 5 *Wisconsin Law Review* 924 (1981)
- "The Bounded Politics of School Desegregation Litigation," 51 *Harvard Educational Review* 395 (1981)
- "Judge and Company: Court-Appointed Masters, School Desegregation and Institutional Reform," 32 *Alabama Law Review* 313 (1981) (with Gary Babcock)
- "The Academic as Would-be Analyst: A Cautionary Tale," 7 *Policy Analysis* 91 (1981)
- "Inexplicitness as Racial Policy in Britain and the United States," in Adam Yarmolinsky, Lance Liebman, and Corinne Schelling, eds., *Race and Schooling in the City* (Cambridge: Harvard University Press, 1981)

- "The End of the Schoolmaster Court?" in Louis Rubin, ed., *Critical Issues in Educational Policy* (Boston: Allyn and Bacon, 1980)
- "Desegregation, Politics, and the Courts: Race and Schooling Policy in Richmond, California," 88 *American Journal of Education* 32 (1979) (with Doris Fine and Sotirios Angelides)
- "Sense and Sentimentality: Race and Schooling in Sausalito—Part II. Counterrevolution," 14 *Urban Education* 321-332 (1979) (with Donna R. Leff)
- "Sense and Sentimentality: Race and Schooling in Sausalito—Part I. Revolution," 14 *Urban Education* 131-160 (1979) (with Donna R. Leff)
- "Pregnancy, Justice, and the Justices," 57 *Texas Law Review* 947 (1979) (with Dorothy Robyn)
- "Race, Schooling, and Interest Politics: The Oakland Story," 87 *School Review* 355 (1979)
- "The Vagaries of Discrimination: Busing, Policy and Law in Britain," 87 *School Review* 269 (1979)
- "Multitudes in the Valley of Indecision': The Desegregation of San Francisco's Public Schools," in Howard Kalodner and James Fishman, eds., *Limits of Justice: The Courts' Role in School Desegregation* (Cambridge, Mass.: Ballinger Publishing Company, 1978)
- "Racism and Inequality: Policy Alternatives," book review in 4 *Policy Analysis* 135 (1978)
- "School Politics Chicago Style," book review in 4 *Policy Analysis* 284 (1978).
- "Law, Politics, and Equal Educational Opportunity: The Limits of Judicial Involvement," 47 *Harvard Educational Review* 117 (1977); reprinted in 43 *The Educational Digest* 32 (1977) and in Stephen Goldstein, ed., *Law and Equality in Education* (Jerusalem: Van Leer Jerusalem Foundation, 1980)
- "School Desegregation and the Limits of Legalism," 47 *The Public Interest* 101 (1977)
- "The Courts: School Desegregation in San Francisco 1962-1976," in Allan Sindler, ed., *America in the Seventies, Problems, Policies and Politics* (Boston: Little, Brown & Co., 1977)
- "Women and Their Discontents. I. Rape as History," essay-review of Brownmiller, *Against Our Will* and McKellar, *Rape*, in 8 *Change* 40 (April 1976)
- "The Legalization of the School Psychologist's World," 14 *Journal of School Psychology* 83 (1976) (with Lauren M. Kirp)

- "Race, Politics, and the Courts: School Desegregation in San Francisco," 46 *Harvard Educational Review* 572 (1976)
- "'Growth Management' Zoning, Public Policy, and the Courts," 2 *Policy Analysis* 431 (1976)
- "Proceduralism and Bureaucracy: Due Process in the School Setting," 28 *Stanford Law Review* 841 (1976)
- "Rethinking Collective Responsibility for Education," 39 *Law and Contemporary Problems* 144 (1975) (with Stephen D. Sugarman)
- "The Emerging Meanings of Equal Educational Opportunities," in *Continuing Challenge: The Past and the Future of Brown v. Board of Education*, (The University of Notre Dame Center for Civil Rights, 1975)
- "Community Psychology and the University," essay-review of Adelson, ed., *Man as the Measure* and Howard Mitchell, ed., *The University and the Urban Crisis*, in 7 *Change* 56 (March 1975)
- "Legal Reform of Special Education: Empirical Studies and Procedural Proposals," 62 *California Law Review* 40 (1974) (with William Buss and Peter Kuriloff); reprinted as "Legal Mandates and Organizational Change," and "Exploring Procedural Modes of Special Classification," in Nicholas Hobbs, ed., 2 *Classification of Children* 319, 365 (San Francisco: Jossey-Bass, 1975)
- "Legal Reform and Educational Change: A Preliminary Assessment of the Pennsylvania Case," 41 *Exceptional Children* 35 (September 1974) (with Peter Kuriloff, et al.)
- "Are Lawyers the Heroes of the Children's Movement?" essay-review of Stapleton and Teitelbaum, *In Defense of Youth* in 52 *Texas Law Review* 816 (1974)
- "Beyond *DeFunis*," 6 *Change* 22 (November 1974) (with Mark Yudof)
- "The Great Sorting Machine," 55 *Phi Delta Kappan* 521 (1974)
- "Student Classification, Public Policy, and the Courts," 44 *Harvard Educational Review* 7 (1974)
- "Has Community Organizing Survived the Sixties?" 3 *Social Policy* 44, Special Issue (November/December 1972-January/February 1973)
- "Judicial Policy-Making: The Problem of Inequitable Public School Financing," in Allan Sindler, ed., *Policy and Politics in America* (Boston: Little, Brown and Co., 1973)

- "Schools as Sorters: The Constitutional and Policy Implications of Student Classification," 121 *University of Pennsylvania Law Review* 705 (1973)
- "Vouchers, Reform and the Elusive Community," 74 *Teachers College Record* 201 (1972)
- "Education and Metropolitanism," in Lowey Wingo, ed., *Metropolitanization and Public Service* (Baltimore: Johns Hopkins Press, 1972) (with David Cohen)
- "Collective Bargaining in Education: Professionals as a Political Group," 21 *Journal of Public Law* 323 (1972)
- "Whose Priorities for Educational Reform?" review of Coons, Clune and Sugarman, *Private Wealth and Public Education*, in 6 *Harvard Civil Rights-Civil Liberties Law Review* 619 (1971) (with Mark Yudof)
- "Serrano in the Political Arena," 2 *Yale Review of Law and Social Action* 143 (1971) (with Mark Yudof)
- "The Role of Law in the Educational Policy," 2 *Social Policy* 42 (September/October 1971)
- "Race, Class and the Limits of Schooling," 4 *Urban Review* 10 (May 1970); reprinted in R. Grinnel and C. Clarke, eds., *Readings in Urban Education* (New York: Simon and Schuster, 1971)
- "Community Control, Public Policy, and the Limits of Law," 68 *Michigan Law Review* 1355 (1970)
- "Litigation and the Right to an Education," 4 *Clearinghouse Review* 237 (October 1970)
- "Equal Education?" review of Wise, *Rich Schools, Poor Schools* and Daley, ed., *The Quality of Inequality*, in 78 *Yale Law Journal* 5:908 (April 1969)
- "The Writer as Lawyer as Writer," 22 *Journal of Legal Education* 115 (1969)
- "The Poor, the Schools, and Equal Protection," 38 *Harvard Educational Review* 635 (1968)

Reports

- A Quarter-Century's Experience with Sex, Alcohol, Tobacco and Drug Education in the Schools, or how Great Expectations for Health Promotion Programs Are Dashed in One Million Classrooms, or Not-So-High Hopes, Michael Timpane and Peter Reuter (eds), *The Safe Schools, Drugs and Community Act: A Status Report* (RAND Corporation, 1999; prepared for the US Department of Education)

- “Charter Laws and State Theories of Action.” Report of the National Study of Charter Schools for the US Department of Education (1999) (co-author)
- Charter Schools in Arizona and Massachusetts: Two Contrasting Law-Policy Regimes.” Report prepared for RPP International under contract with the US Department of Education (1998)
- "Reform in Mexican Agricultural Policy and Its Impact on Sonoran Producers" with Alfonso Galindo. Report prepared for Center for the Study of Natural Resources, State of Sonora, Mexico (1994)
- "Public Policy and the Media," report prepared for the Gordon Policy Center, Brandeis University (1992)
- "The Equities in the Schoolhouse," report prepared for the Center on Organization and Restructuring of Schools, University of Wisconsin (1992)
- "Judicial Management of School Desegregation Cases," report prepared for the National Institute of Education, (with Nancy Borow, Mitchell Feigenberg, Tim Gage, Elliot Marseille, and Dorothy Robyn) (1979)
- "Patchwork Quilt: The Diverse Educational Entitlements of Children," paper prepared for Educational Policy Research Center of SRI International (with Harold R. Winslow, Jr.) (1979)
- "Law, Professionalism, and Politics: The Administrative Appeals Procedure under *PARC v. Commonwealth of Pennsylvania*," in *When Handicapped Children Go to Court: Assessing the Impact of the Legal Reform of Special Education in Pennsylvania*, report prepared for the National Institute of Education (with Peter Kuriloff and William Buss) (1979)
- "Choice of a Regulatory Environment for Automobile Insurance," report for SRI International (with others) (1979)
- "Criteria for Desegregation of San Francisco's Schools: Looking Beyond Horseshoe," report submitted to the San Francisco Public Schools Commission (1976)
- "Population Policy, Education and Human Rights: Exploring the Connections," report prepared for UNESCO (with Sotirios Angelides) (1976)
- "Growth Management and the Courts: Can Law and Policy be Reconciled?" paper prepared for Growth Management Seminars sponsored by Institute of Industrial Development, University of California (1975)

HONORS AND PRIZES

Gustavus Meyers Center for the Study of Human Rights Award, 1996
Gustavus Meyers Center for the Study of Human Rights Award, 1990
University of California-Berkeley American Studies Summer Fellowship, 1996
Fulbright Fellow, 1992.
Distinguished Teaching Award, University of California, Berkeley, 1982
Fellow-designate, Center for Advanced Study in Behavioral Sciences, 1980
Van Leer Jerusalem Foundation Fellow, 1977
Ford Foundation, Travel-Study Fellow, 1977
Spencer Fellow, National Academy of Education, 1976
Who's Who in American Law
Dictionary of International Biography (15th Edition)
Who's Who in the West (17th Edition)
Phi Beta Kappa

SELECTED PROFESSIONAL ACTIVITIES

- 2004
Consultant, New Zealand Ministry of Education (Maori policy issues)
Consultant, Mills College
- 2003
Lecturer, Goldman School Executive management program
Consultant, Hewlett Foundation dispute resolution program
- 2002
Consultant, Atlantic Foundation, regarding the Foundation's twenty year history of funding in higher education
Consultant, John Merrow Reports, regarding the development of PBS series on higher education
Consultant, Carnegie Foundation for the Advancement of Teaching, regarding philanthropic initiatives in higher education research
Consultant, Public Utilities Commission (ethics and public policy)
Board of Directors, Community Boards of San Francisco (to present)
Visiting Scholar, Center for Educational Research and Innovation, University of Twente (Netherlands)
Convenor, International Roundtable on Higher Education (sponsored by Ford Foundation)
Lecturer, Executive Management Program, Goldman School (UC Berkeley)
- 2001
Visiting lecturer, School of Education and Public Policy, NYU
- 1999
Consultant, Hewlett Foundation education program (to present)
- 1998
Board of Directors, Institute for Gay and Lesbian Policy Studies (to present)
- 1997
Co-Principal Investigator, National Charter Schools Study, RPP International (1997-8)
Consultant, Goals 2000 Advisory Committee, California

Department of Education, regarding implementation of goals in preschool education

Advisory Committee, AIDS Research Institute, UC-SF

- 1996 Advisory Board, Foundation for Ethics and Meaning
- 1996 Consultant, Project on HIV and Blood: Comparative National Response
- 1996 Visiting Scholar, Instituto Tecnico Autonomo de Mexico
- 1995 Board of Directors, ACLU-Northern California (1995-7)
Visiting Scholar, Department of Sociology, New York University
- 1995-1997 Senior Investigator, Project on Comparative State Responses to Math-Science Education Initiatives, National Science Foundation.
- 1995 Chair, Panel on HIV Prevention, Office of Technology Assessment, Washington D.C.
- 1995-Present Consultant, Project on Comparative State Responses to Math-Science Education Initiatives, National Science Foundation.
- 1995-Present Community Boards of San Francisco
- 1994-Present Ph.D. Dissertation Panel, Spencer Foundation
- 1994 Policy Analysis for California Education (PACE)
- 1994, Present University of California-Berkeley, HIV/AIDS Advisory Group
- 1993 Lecturer, Vail Valley Institute
- 1992 External Review Committee, Program in Jurisprudence and Social Policy, Amherst College
- 1992-Present Editorial Board Member, *Readings on Equal Education* (annual volume)
- 1990 Consultant, Office of Technology Assessment

- 1989 Consultant, Committee on AIDS Research, Commission on Behavioral and Social Science and Education, National Research Council
- 1987 Consultant, Manpower Development Research Council
- 1987 Consultant, San Jose (CA) Unified School District
- 1986-Present Reviewer for: *Law and Society Review*, *American Journal of Public Health*, *Journal of Policy Analysis and Management*, *Education Administration Quarterly*
- 1986-1990 Member, Advisory Committee, University of California Biotechnology Research and Education Program
- 1986-1989 Consultant, Far West Education Laboratory, San Francisco
- 1983 Member, *Daedalus* panel, "Authority in American Society"
- 1980-Present Chair, Association for Public Policy Analysis and Management Panels on Law and Policy; AIDS and Public Policy; Sexual Orientation and Public Policy; Narrative and Policy
- 1979-1985 Member, Editorial Board, Public Policy and Management Case Program, Harvard University
- 1977-Present Member, Advisory Board, Children's Advocacy Center, Oakland, California
- 1975-1982 Consultant, Stanford Research Institute
- 1971-1981 Member, Law and Government Study Group, National Institute of Education
- 1979 National Fellow, Educational Finance and Productivity Center, University of Chicago
- 1976-1979 Consultant, Organization for Economic Cooperation and Development
- 1975-1979 Member, National Advisory Board, Center for the Study of Families and Children, Vanderbilt University

- 1978 Member, Technical Advisory Committee, Carnegie Council on Policy Studies in Higher Education (for *Youth in American Society*)
- 1978 Member, American Academy of Arts and Sciences, Panel on Ethnicity and Schooling
- 1976 Consultant, UNESCO
- 1976 Consultant, San Francisco Public Schools Commission
- 1975-1978 Consultant, Education Commission of the States
- 1972-1976 Consultant, Nova University
- 1975 Consultant, Scientific Council for Government Policy, The Hague, Netherlands
- 1972-1974 Consultant, Berkeley Unified School District
- 1971-1974 Trustee, Amherst College
- 1970-1971 Consultant, Massachusetts Title I Task Force
- 1970-1971 Consultant, Center for the Study of Student Citizenship, Rights, and Responsibilities, Dayton, Ohio
- 1970 Consultant, National Council of Churches of Christ, Department of Social Justice
- 1970 Consultant, NAACP Legal Defense and Education Fund, Inc.
- 1970 Consultant, U.S. Civil Rights Commission
- 1969-1970 Consultant, National Indian Educational Training and Research Center, Tempe, Arizona
- 1969-1970 Consultant, National Institute for Education in Law and Poverty

JOURNALISM

- 1983-Present Occasional columnist: *New York Times*, *San Francisco Examiner*, *Christian Science Monitor*, *Newsday*, *Chicago Tribune*, *Los Angeles Times*, *San Diego Tribune*, *Sacramento Bee*, *San Jose Mercury*, and others (syndicated by Copley News Service, 1981-1989). Contribution to *The Nation*, *Harper's*, *Atlantic Monthly*, *Dissent*.
- 1990-1992 Pacific News Service Syndication
- 1985-1992 Columnist, *San Francisco Examiner*
- 1985-1989 Columnist, *Los Angeles Herald-Examiner*
- 1984-1986 Columnist, *Times Educational Supplement* (London)
- 1983-1985 Associate Editor, *Sacramento Bee*
- 1971-1975 Editorial Page Columnist, *Christian Science Monitor*

LECTURES

2005

“Higher Education and the Market in Comparative Perspective,”
lecture series: University of Trento, University of Rome, University of
Milan

“Academic Freedom and Market Values,” NYU

“The Quest for Institutional Prestige—What’s the Price?” North Carolina
State University

“Is Liberal Education a Romantic Throwback?” Brown University

“Shakespeare, Einstein, and the Bottom Line,” Southwest Missouri State
University

“Diversity, Access, Accountability in American Higher Education,”
Executive Training Program, Haas School of Business, University of
California (Berkeley)

“Ethics and Public Policy at Home and Abroad,” Executive Training
Program, Goldman School of Public Policy, University of California
(Berkeley)(Mexico City)

2004

“Higher Education Goes to Market,” Association of
American Universities (presidents’ meeting)

“Marketing Higher Education,” American Association of Colleges and
Universities, Keynote address

“Health, Markets, and Higher Education,” Academic Health Centers

“The So-Called ‘Sweet Spot’ of Distance Learning,” American Council
on Education

“Technology and Markets in Higher Education,” Center for Internet
Technology in Education

“On Writing and Scholarship,” UC Berkeley Writers’ at Work Series

“‘The Brand’ and the Shuck: What Does the University Stand
For?” American Marketing Association

“Niche Marketing and Academic Values,” Association of American
Universities

Lectures delivered at:

Brown University, Boston College, St. Marys College, Mills College,
Laney College, Columbia Journalism School, Harvard Business School

2003

“Barbarians at the Gates?” AAC & U Conference

“Where Shall the Poor Live?—a colloquy with Ron Gonzales, mayor of
San Jose, Berkeley Conference on Affordable Housing

2002

“The Market in Students,” Board of Advisors, Goldman School of Public Policy

“Learning from the For-Profit Universities,” keynote address, Educause
“Money Changers in the House of Intellect?” keynote address, AAUP

2001

“ This Little Student Went to Market,” keynote address, College Board annual convention

“Higher Education Goes to Market,” Forum for the Future of Higher Education, Aspen Institute

“The Public Equivalent of Love,” Unitarian Universalist Fellowship of Sunnyvale

2000

“Pop Quiz: What Do the University of Chicago, University of Illinois-Chicago, DeVry University, unext.com, and Hamburger University Have In Common?,” Forum for the Future of Higher Education, Aspen Institute

1999

“Education Goes to Market,” *Lingua Franca-University Business* Conference on Market-Driven Higher Education

“Law and the Vagaries of Community,” NYU Program in Law and Society

“What The Choice Movement Means to Public Schools,” University of California Education Research Center (Fresno)

1998

“Law—Like Love?” NYU Program in Law and Society

1997

"Ethics and Public Policy," McGill University, Distinguished Lecture Services.

1996

"Necessary Ambiguities." Orientation Conference for Graduate Student Instructors, UC Berkeley

"Public Policy and the Public Equivalent of Love," UC-Berkeley "Last Lecture" Series

"Law and Public Policy, Law as Public Policy: Three Heresies," Faculty of Law, Instituto Tecnológico a Mexico (ITAM)

"Law without Lawyers," Summit on Ethics and Meaning, Washington DC

"What AIDS Teaches," Summit on Ethics and Meaning, Washington DC

"Race-ing America," Harkness Fellows Conference, Little Rock, Arkansas

"Affordable Housing, Plausible Communities," Rutgers Law School, Newark, New Jersey

"On Ambiguity," Last Lecture Series, Academic Centers of Residence Program, U.C. Berkeley

1995

"Policy Analysis in the Age of Ideology," New York University, Wagner Graduate School of Public Service (Dec.)

"Education and the Equalities," New York University, Dept. of Sociology (Nov.)

"AIDS and Health Promotion," Office of Technology Assessment (chair of conference, April)

"'Mr. Smith Goes to Washington' Meets the Contract with America," CAL in the Capitol, U.C. Berkeley

"The State as the Guarantor of Social Welfare: Alexander Hamilton Meets the 1994 Health Care Legislation," Robert Wood Johnson Foundation Conference, Scottsdale, AZ

"AIDS Policy in Comparative Perspective," AIDS Policy in Europe and the United States: An International Conference on Organizational Responses, Center for European Studies, NYU, and European Centre for Social Welfare and Policy Research, Vicuna

1994

"Targeted AIDS Service and Stigma," Conference, Center for AIDS Prevention Studies (UCSF) and the American Foundation for AIDS Research

"Narrative and Analyses: Thinking in Non-Traditional Terms About Traditional Public Policy Issues," Humanities Research Institute, University of California (Irvine)

1993

"Education and Values in Comparative Perspective," Council for Citizenship Education, Russell Sage College

"AIDS and Political Correctness at Berkeley," Women's Faculty Club, University of California (Berkeley)

"America's Changing Population: Commentary," Harkness Fellows Symposium, University of California (Berkeley)

"Educational Equity: Macro- and Micro- Perspectives," Department of Education, University of Chicago

"AIDS, Children, and Social Justice," Conference on AIDS and Schools, Harvard Medical School

1992

"The Post-Bush Political Landscape," Sons of Harvard

"The Vexed Idea of Equality," William and Mary School of Law

1991

"AIDS and the Just Society," Great Lecture, Beliot College

"The Pitfalls of Fetal Protection," Round Table Lecture, Madison, Wisconsin

1990

"What Can States Do to Reform Education?," Texas Education Agency

"'Outing' and Privacy," Conference on Privacy and the Media, University of California (Berkeley)

"A Boy's Life," Bruce M. Bigelow Class of 1925 Memorial Lecture, Brown University

"Fetal Protection Policy and the Risk Pool," Brown University

"AIDS and the Limits of Rights Discourse," Boston College

"AIDS and the Media," Kenan Seminar, Amherst College

"AIDS: The New York City Experience," Seminar Series - Citizens Commission on AIDS, New York

1989

"'Clear and Present Danger': AIDS in the Mind of America," Tulane University, Murphy Institute of Political Economy

1988

"Legalization as a Policy Choice," La Trobe University, Faculty of Legal Studies, Melbourne, and Australian National University, Faculty of Law, Canberra

"AIDS and the Limits of Law," School of Law, Adelaide University, and School of Law, University of New South Wales, Sydney

"Schooling in the Age of AIDS," Harvard Graduate School of Education

1987

"AIDS, Politics and Policy," Berkeley Round Table on Policy and Politics

"On Gender and Justice," Public Law Colloquium, Princeton University

"Hard Lessons: AIDS and Community," John F. Kennedy School of Government, Harvard University

"AIDS and the Media: Too Little Coverage—or Too Much?" Sigma Delta Chi, California Chapter, Santa Cruz

1986

"Gender and Liberty," School of Law, University of San Diego

"The Two Strands of Education Law," School of Education, Michigan State

"AIDS and the Media," Medill School of Journalism, Northwestern University

"The Politics of Welfare Reform," School of Social Welfare, Conference on California Welfare Reform"

"The Idea of Gender Justice," Amherst College

"AIDS and Public Policy," Association for Public Policy Analysis and Management,"

1985

"What's Wrong with a Comprehensive Policy Toward Child Abuse?"
Family Welfare Research Group Conference, Berkeley, California

"Child Abuse and Its Abuses," Claremont McKenna College symposium,
Claremont, California

1984

"Gender Justice: John Stuart Mill Meets the New Deal," Murphy Institute
of Political Economy, Tulane University

"The Media and Policy Analysts: The Inevitability of Mutual
Disappointment," Association of Public Policy Analysis and
Management, Annual Meeting

1983

"Community Colleges Confront the 1980s," Conference of California
College CEOs

1982

"Gender, Justice and the Justices," School of Law, Washington University

"Elusive Equality: Race, Schools, Politics, Law," Departments of History
and Political Science, Amherst College

"Gender in the House of Policy," Department of Public Policy, University
of Chicago

1980

"Idiosyncratic Justice: The Evolution of Race and Schooling Policy,"
Tulane Law School

"And They Lived Happily Ever After?" National Institute of Education
Research Conference, Panel on Implementation and Impact"

"The Expanding Judicial Role in Education," Brigham Young University

"Student-Teacher Rights," Brigham Young University

1979

"Law and Education: Beyond the Courts," School of Law, University of Nebraska

"Behavioral Science and the Courts: Uses and Abuses," American Psychological Association

"What's Left of Brown, 25 Years Later?," California Education Staff Seminar

1978

"Due Process: Teachers Versus the Constitution?" California Teachers Association

1977

"Law, Politics, and Equal Educational Opportunity," Van Leer Jerusalem Foundation

1976

"Sex Discrimination, Public Policy and the Law," Distinguished Lecture Series, University of the Pacific

1975

"Law: Cause or Confirmer of Social Change?" Keynote speech, delivered at the Texas Conference on the Equal Rights Amendment, Austin

"Educational Reform: The United States and the Netherlands," Department of Education, University of Amsterdam

"The Student-Rights 'Revolution'" Distinguished Lecturer Series, School of Education, University of California, Berkeley

1974

"No Growth' Zoning and the Courts," Growth Management Seminars, Institute of Industrial Relations and Institute of Urban and Regional Development, University of California, Berkeley

"Inducement, Coercion and Other Governmental Devices: Achieving Society's Interest in Education," OECD, Center for Educational Research and Innovation

"Does Sociology Make a Difference? Coleman, Jencks, and Educational Policy," American Sociological Association

"Educational Policy in the 1970s," University of Colorado Educational Conference

"The Divergent Meanings of Discrimination," Notre Dame Conference on Civil Rights

1973

"Student Classification," Texas State Education Conference, San Antonio, Texas

1972

"Law School 1972: Briefcases to Bomb Threats?" Harvard Law School Alumni Association of Northern and Southern California

1971

"Revenue Sharing: Winners and Losers," NAACP Legal Defense and Education Fund, Inc., Institute

1970

"Litigation and the Right to an Education," Youth Law Conference, sponsored by National Institute for Education in Law and Poverty

"Law and Education: An Emerging Area of Inquiry," lecture National Committee for the Support of Public Schools